

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATION**

Docket Number (Optional)

220902-1080

In re Application of Bayer, et al.

Application No. 10/583,806

Filed: June 22, 2006

For: AROMATIC POLYESTER COMPOSITION FOR MAKING STRETCH BLOW MOLDED CONTAINERS

The owner*, INVISTA NORTH AMERICA S.A.R.L., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending **reference** Application Number 10/583,810 filed on December 14, 2004, of any patent on the pending **reference** application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

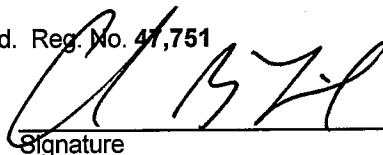
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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 47,751

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